(c) whether it is a fact that BICP provided for credit and discounts while working out the cost of packing materials;

(d) whether it is also a fcat that non of the recommendations of BICP are changed without prior consultation with them; and

(e) if so, what are the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) No Sir.

(b) The names of major producers/ suppliers of major packing materials whose prices were verified by BICP are given below :

(1) Alum Foils; M/s India Foils and M/s. Indian Alum.

(2) Glass Vials : M/s. Vazir Glass Co., Gujarat Glass & Neutral Glass etc.

(3) PVC Films : Amar Thara Plastic Ltd., M/s. Caprihans India Limited.

(4) Glass Bottle : M/s. A. R. Marketing.

(5) Alum. Tubes : Packam and Co., Impact containers, M/s. Extrusion Process Ltd.

(6) Ampoules : Kapor Glass Ind.

(c) While the BICP has not specifically provided for credit and discounts, (as not reflected in the invoices) in working out the cost of packing materials, it has also not merely used the data furnished by the formulators. In the methodology for working out packing materials ceilings, the extreme prices (too high/too low) as per the formulators' claims have been ignored and average price worked out based on the remaining claimed prices. These also have been checked on the basis of dealers price lists, wherever available.

(d) No, Sir.

(e) Does not arise.

Assessment of Betamethasone and Dexamethasone

519. SHRI NYODEK YONGGAM : Will the PRIME MINISTER be pleased to state :

(a) what is the amount assessed in respect of Betamethasone used by Pfizer and Dexamethasone used by M/s Cadila under Para 7 (2) of DPCO, 1979;

(b) whether Government have called for the details from these companies in respect to unintended benefit; if so, when and what is the response in each case ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTAMOHAN) : (a) to (b) To the extent information is available no liability has been assessed so far in respect of Betamethasone used by M/s. Pfizer, However, M/s. Cadila has been asked to submit the data by the first week of December, regarding the unintended benefit, if any, enjoyed by them on bulk drug Dexamethasone. The company has been directed to furnish the data failing which action would be initiated against them under the provisions of DPCO, 1987 and the Essential Commodities Act,1955.

Bombay High Court order relating to the Drug Companies

520. SHRI NYODEK YONGGAM : Will the PRIME MINISTER be pleased to state :

(a) what are the details of the interim orders passed by the Bombay High Court in the case of M/s. Sandoz, M/s Pfizer and M/s. Hoechst;

(b) when these orders were passed in each case and what action has been taken on each of these orders;

(c) what is the present position in each case and when the complete liability in each case would be worked out;

(d) whether it is a fact that liability of M/s. Hoechst in case of some packs based on Pheniramine is yet to be worked out as the company has not furnished the details; and